REMARKS

The Examiner is thanked for the thorough review and consideration of the pending application. The final Office Action mailed March 28, 2011 has been received and its contents carefully reviewed. No claims are amended by this paper. Claims 13 and 15-17 were previously canceled. Accordingly, claims 1-12 and 14 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

The Office rejects claims 1-6, 8, 11, 12, and 14 under 35 USC § 103(a) as being unpatentable over US Publication No. 2004/0163045 to Hui *et al.* (*Hui*) in view of US Publication No. 2002/0152229 to Peng (*Peng*). *Office Action* at ¶ 5. **The Office rejects claims 7 and 9 under 35 USC § 103(a) as being unpatentable over *Hui* in view of *Peng* and further in view of US Patent No. 7,117,259 to Rohwer (*Rohwer*).** *Office Action* at ¶ 16. **The Office rejects claim 10 under 35 USC § 103(a) as being unpatentable over *Hui* in view of *Peng* and further in view of US Publication No. 2001/0040900 A1 to Salmi (*Salmi*).** *Office Action* at ¶ 19. Applicant respectfully traverses these rejections and requests reconsideration.

Applicant respectfully asserts that the combination of *Hui* and *Peng* fails to teach or suggest the transmission from a server of multimedia pages in a form of object arrangement instructions, in order to arrange objects in a graphic scene, each object being identified by a set of associated parameters, and, with respect to these sets of associated parameters, the combination of *Hui* and *Peng* fails to teach or suggest at least:

> transmitting, from the server, … an <u>instruction to store</u> said part of said set of associated parameters in a memory of the terminal; and
> transmitting, from the server, an <u>instruction to restore</u> said part of said set of associated parameters previously stored in said memory of the terminal …

as recited in independent claim 1 or

> an <u>instruction to store,</u> in a memory of a terminal, at least one parameter of at least one object intended to be arranged, according to said parameter, in a multimedia page suitable for editing on said terminal; and
> an <u>instruction to restore</u> the at least one parameter previously stored in the memory of the terminal

as recited in independent claim 12 (emphasis added).

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The present invention, as recited in independent claims 1 and 12, relates to a method to edit multimedia pages via a terminal. The inventors recognized an existence of memory and processing limitations on terminals. The invention, as claimed, simplifies editing of complex multimedia pages, in particular, by "transmitting, from the server, … <u>an instruction to store</u> … parameters in a memory of the terminal; and transmitting, from the server, <u>an instruction to restore</u> said … parameters previously stored in said memory of the terminal," as recited in independent claim 1 and as similarly recited in independent claims 12.

The Office asserts, "*Hui* does send partial parameters along with instructions to the terminal via WWW and part of the instruction is stored …." *Office Action* at pp. 2-3, ¶ 3b. However, Applicant respectfully believes that the Office's assertion reveals that the Office <u>mis-understands the claimed subject matter</u>. Because of this mis-understanding, Applicant respectfully submits that the Office is asserting that *Hui* teaches something that is <u>different from</u> what is claimed in independent claims 1 and 12.

Instead of teaching an **instruction to store a parameter** in a memory of a terminal, *Hui* seems to disclose (as stated by the Examiner) that **an instruction is stored** in a memory (*i.e.*, a local cache) of the terminal. An instruction **to store** and an instruction **that is stored do not have the same technical consequences.** The same point is made with respect to the expression "<u>instruction to restore</u>" also as recited in independent claims 1 and 12.

The first step of a 35 U.S.C. § 103(a) analysis requires the Office to determine the scope and content of the prior art. However, as stated in the MPEP, "[i]n determining the scope and content of the prior art, Office personnel <u>must first obtain</u> a thorough understanding of the invention disclosed and claimed in the application under examination … to understand what the applicant has invented." *MPEP* at § 2141.II.A (emphasis added). "<u>Once the scope of the claimed invention is determined</u>, Office personnel must <u>then determine what to search for and where to search</u>." Id. (emphasis added).

Applicant very respectfully submits that the Office <u>has not obtained</u> a thorough understanding of the invention disclosed and claimed. Because the Office <u>does not correctly appreciate</u> the limitations recited in the invention as-claimed, the Office <u>cannot appreciate</u> the non-obviousness of the claimed subject matter.

Applicant very respectfully requests reexamination and reconsideration of the claims of this application in view of the explanations of the claimed subject matter provided above, as well as the explanations of the claimed subject matter provided heretofore.

Peng fails to cure the deficiency of *Hui*. *Peng* discloses a method to manage a cache on a mobile device managed directly on the mobile side. In particular, the mobile search in a database in order to determine if the file, which is supposed to be downloaded, is out of date or not. *See Peng* at ¶ 0005.

Peng fails to teach or suggest transmitting from a server any "instruction to store [a] parameter" or receiving from a server any "instruction to restore [a] parameter" as recited in independent claims 1 and 12, respectively. The decisions related to the storing of files are made directly on the terminal. *See Peng* at ¶ 0005.

Rohwer fails to cure the deficiencies of *Hui* and *Peng*. In fact, *Rohwer* was only cited for a purported teaching of "a delete command for associated set of parameters ...." *Office Action* at ¶ 17.

Salmi fails to cure the deficiencies of *Hui*, *Peng*, and *Rohwer*. In fact, *Salmi* was only cited for a purported teaching of a "mobile terminal cooperating in cellular network." *Office Action* at ¶ 20.

For at least the above-stated reasons, Applicant respectfully asserts that independent claims 1 and 12 are patentably distinguishable over *Hui*, *Peng*, *Rohwer*, and *Salmi*, whether considered individually or in any combination. Claims 2-11 depend either directly or indirectly from independent claim 1. Claim 14 depends from independent claim 12. It stands to reason that these dependent claims are likewise patentably distinguishable over the cited references for at least the same reasons as their respective independent claims. Accordingly, Applicant respectfully requests withdrawal of the various 35 U.S.C. § 103(a) rejections of claims 1-12 and 14.

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CONCLUSION

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Applicant believes this application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7106 to discuss the steps necessary for placing the application in condition for allowance.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to Deposit Account No. 50-0911.

Dated: June 28, 2011   Respectfully submitted,

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